



PATENT CASE NO. IN01023K

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of Clifford A. Brass,;
et al,

Examiner: Janet L. Andres

For Patent For: HCV COMBINATION :
THERAPY

Group Art No. 1646

Serial No. 09/551,341 :

Filed: 04/18/2000 :

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Assistant to Commissioner for Patents
Washington, D.C. 20231

Schering-Plough Corporation
Kenilworth, New Jersey 07033

RESPONSE

SIR:

This is in response to the Official Action dated March 12, 2001.

A Petition and Fee for a One month Extension of Time and on
Information Disclosure Statement accompany this Response.

REMARKS

Applicants are required under 35 U.S.C. §121 to elect a single
disclosed species of interferon and antioxidant for prosecution on the merits.

Applicants elect interferon- α -2b for the interferon and a combination
of the antioxidants, Vitamin E and derivatives thereof and Vitamin C.

Applicants are currently pursuing clinical development of the use of
an interferon α -2b and ribavirin with the combination of Vitamins E and C
to treat HCV infections while ameliorating the ribavirin related hemolysis.
Therefore, Applicants respectfully request that the Examiner reconsider her

request in view of the fact that Applicants will be generating data covering the use of the combination of vitamins C and E as antioxidants. In the alternative, applicants elect only Vitamin E. The claims readable on the either elected vitamin species are claims 1-3, 7-9, 13-17, 20-22, 26 and 30.

Respectfully submitted,

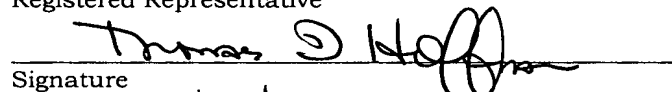


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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

May 4, 2001
Date of Deposit

THOMAS D. HOFFMAN
Registered Representative


Signature

05/04/2001
Date of Signature